

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

WSOU INVESTMENTS, LLC, d/b/a
BRAZOS LICENSING AND DEVELOPMENT,

Plaintiff,

v.

HEWLETT PACKARD ENTERPRISE
COMPANY,

Defendant.

Civil Action No. 6:20-cv-00730-ADA

**DECLARATION OF MICHAEL R. FRANZINGER IN SUPPORT OF
HEWLETT PACKARD ENTERPRISE COMPANY’S SUPPLEMENTAL BRIEF IN
SUPPORT OF ITS MOTION TO DISMISS FOR LACK OF STANDING**

I, Michael R. Franzinger, hereby declare, affirm and state as follows:

1. I am an attorney with Sidley Austin LLP, counsel to Defendant Hewlett Packard Enterprise Company (“HPE”). I am a member of the bar of this Court. I have personal knowledge of the matters stated in this Declaration and would testify truthfully to them if called upon to do so.

2. Attached hereto as Exhibit 24 is a true and correct copy of excerpts of the sealed transcript of the motion and discovery hearing held on January 14, 2022, in connection with this litigation.

3. Attached hereto as Exhibit 25 is a true and correct copy of the presentation slides used by HPE in connection with the motion and discovery hearing held on January 14, 2022, in connection with this litigation.

4. Attached hereto as Exhibit 26 is a true and correct copy of emails produced by WSOU bearing Bates Nos. WSOU-HPE-00025202 – 00025211, as served in this litigation.

5. Attached hereto as Exhibit 27 is a true and correct copy of emails produced by WSOU bearing Bates Nos. WSOU-HPE-00025694 – 00025701, as served in this litigation.

6. Attached hereto as Exhibit 28 is a true and correct copy of a document entitled Amendment to Patent Purchase Agreement produced by WSOU bearing Bates Nos. WSOU-HPE-00025702 – 000025714, as served in this litigation.

7. Attached hereto as Exhibit 29 is a true and correct copy of a redlined version of a document entitled Amendment to Patent Purchase Agreement produced by WSOU bearing Bates Nos. WSOU-HPE-00025715 – 000025727, as served in this litigation.

8. Attached hereto as Exhibit 30 is a true and correct copy of a document entitled Amendment to Patent Purchase Agreement produced by WSOU bearing Bates Nos. WSOU-HPE-00025212 – 000025224, as served in this litigation.

9. Attached hereto as Exhibit 31 is a true and correct copy of emails produced by WSOU bearing Bates Nos. WSOU-HPE-00025229 – 00025235, as served in this litigation.

10. Attached hereto as Exhibit 32 is a true and correct copy of emails produced by WSOU bearing Bates Nos. WSOU-HPE-00025251 – 00025252, as served in this litigation.

11. Attached hereto as Exhibit 33 is a true and correct copy of emails produced by WSOU bearing Bates Nos. WSOU-HPE-00025729 – 00025732, as served in this litigation.

12. Attached hereto as Exhibit 34 is a true and correct copy of emails produced by WSOU bearing Bates No. WSOU-HPE-00025728, as served in this litigation.

13. Attached hereto as Exhibit 35 is a true and correct copy of emails exchanged between S. Hartman and M. Hatcher in the course of this litigation, with the top email dated February 2, 2022. The email chain has been truncated to exclude earlier, unrelated messages.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Michael R. Franzinger

Michael R. Franzinger